MONTANA LEGISLATIVE HISTORY

Chapter 382 19 55

Bill H _____ S 193 Original bill & history ✓ C

1st page only
The bill is 53 pages. If you would like a copy, please call the libro

H. Committee on State Admin.

Hearing Date(s) Mar03 ✓ C

Mar20 ✓ C

_____ ___ C

_____ ___ C

Date Out _____ ___ C

S. Committee on State Admin.

Hearing Date(s) Feb02 ✓ C

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Did this bill originate in an interim committee? ___ Yes ___ No

Committee _____ Report _____

SENATE BILL NO. 193

INTRODUCED BY Doherty

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING ELECTIONS; ENCOURAGING ELECTOR PARTICIPATION BY CONSOLIDATING THE TIMES AT WHICH ISSUES ARE SUBMITTED TO ELECTORS; ESTABLISHING UNIFORM TIMES FOR THE OPENING AND CLOSING OF POLLS; AND AMENDING SECTIONS 7-2-2215, 7-2-2605, 7-2-2709, 7-2-4104, 7-2-4106, 7-2-4902, 7-3-103, 7-3-149, 7-3-176, 7-3-186, 7-3-187, 7-3-192, 7-3-1205, 7-3-1208, 7-3-1229, 7-3-1231, 7-3-4208, 7-3-4213, 7-3-4222, 7-3-4223, 7-3-4305, 7-3-4310, 7-3-4311, 7-5-133, 7-5-136, 7-5-4321, 7-6-2344, 7-6-4255, 7-7-2223, 7-7-2227, 7-7-2229, 7-7-2237, 7-7-4226, 7-7-4227, 7-7-4235, 7-7-4426, 7-7-4427, 7-8-4201, 7-11-305, 7-11-307, 7-12-4243, 7-13-2208, 7-13-2231, 7-13-2323, 7-13-2341, 7-13-4204, 7-14-210, 7-14-1134, 7-14-2205, 7-14-2504, 7-14-4404, 7-14-4512, 7-14-4642, 7-15-2111, 7-15-4408, 7-16-2411, 7-16-2442, 7-31-106, 7-31-107, 7-31-109, 7-32-235, 7-34-2110, 7-34-2414, 7-35-2106, 13-1-106, 20-6-203, 20-6-205, 20-6-211, 20-6-312, 20-6-315, 20-6-317, 20-9-353, 20-20-105, 20-20-106, 20-20-201, 20-20-202, 20-20-203, 20-20-204, 22-1-303, 22-1-402, 67-11-303, 76-1-604, 85-9-206, AND 85-9-623, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-2-2215, MCA, is amended to read:

"7-2-2215. Election on question of creating new county -- proclamation and notice. (1) Within 2 weeks after its determination of the truth of the allegations of the petition, the board of county commissioners shall order and give ~~proclamation and~~ notice of an election to be held ~~on a specified day, not less than 60 days thereafter,~~ for the purpose of determining whether the territory proposed to be taken from the county ~~shall~~ is to be established and organized into a new or enlarged county, ~~and~~ for the election of officers, and for the location of a county seat ~~therefor in case~~ if the vote at the election is in favor of the establishment and organization of a new county formed from a portion of one existing county or from portions of two or more existing counties.

(2) The question of determining whether the proposed territory ~~shall be~~ is taken from the county and added to the proposed new county must be included on the ballot for the next ~~countywide~~ regular or

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0193, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:
An act generally revising the laws governing elections; encouraging elector participation by consolidating the times at which issues are submitted to electors; establishing uniform times for the opening and closing of polls.

FISCAL IMPACT:

This bill has no fiscal impact on state government.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

This bill will have little effect on local and county government revenue or expenditures. Smaller jurisdictions may see some cost reduction in the administration of elections.

Dave Lewis 1-24-95
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Steve Doherty 11/24/95
STEVE DOHERTY, PRIMARY SPONSOR DATE

1/18	REFERRED TO STATE ADMINISTRATION		
1/19	FISCAL NOTE REQUESTED		
1/24	FISCAL NOTE RECEIVED		
1/24	FISCAL NOTE PRINTED		
2/01	HEARING		
2/01	TABLED IN COMMITTEE		
2/23	MISSED TRANSMITTAL DEADLINE FOR 45TH DAY DIED IN COMMITTEE		

SB 191 INTRODUCED BY HARDING, ET AL.

SB 191 WAS WITHDRAWN

1/18	INTRODUCED		
1/18	FIRST READING		
1/18	REFERRED TO JUDICIARY		
1/26	BILL WITHDRAWN (TO BE REDRAFTED AS A RESOLUTION)		

SB 192 INTRODUCED BY VAN VALKENBURG, ET AL.

PROVIDE THAT THE SALARY FOR THE POSITION IN THE DEPARTMENT OF JUSTICE OF TRAINING COORDINATOR FOR COUNTY ATTORNEYS IS THE SAME AS THAT ESTABLISHED FOR A FULL-TIME COUNTY ATTORNEY IN A COUNTY WITH A POPULATION IN EXCESS OF 30,000

1/18	INTRODUCED		
1/18	FIRST READING		
1/18	REFERRED TO JUDICIARY		
1/19	FISCAL NOTE REQUESTED		
1/23	FISCAL NOTE RECEIVED		
1/24	FISCAL NOTE PRINTED		
1/25	HEARING		
1/28	COMMITTEE REPORT—BILL PASSED		
1/30	2ND READING PASSED	46	4
1/31	3RD READING PASSED	42	7
	TRANSMITTED TO HOUSE		
2/01	FIRST READING		
2/01	REFERRED TO LOCAL GOVERNMENT		
2/16	REREFERRED TO JUDICIARY		
3/03	HEARING DIED IN COMMITTEE		

SB 193 INTRODUCED BY DOHERTY, ET AL.

GENERALLY REVISE LAWS GOVERNING ELECTIONS

1/18	INTRODUCED		
1/18	FIRST READING		
1/18	REFERRED TO STATE ADMINISTRATION		
1/19	FISCAL NOTE REQUESTED		
1/24	FISCAL NOTE RECEIVED		
1/24	FISCAL NOTE PRINTED		
2/02	HEARING		
2/13	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/14	2ND READING PASSED	50	0
2/15	3RD READING PASSED	45	5
	TRANSMITTED TO HOUSE		
2/20	FIRST READING		
2/20	REFERRED TO STATE ADMINISTRATION		
3/03	HEARING		
3/20	COMMITTEE REPORT—BILL CONCURRED		
3/25	2ND READING CONCURRED	96	0
3/27	3RD READING CONCURRED	96	1

RETURNED TO SENATE
4/06 SIGNED BY PRESIDENT
4/06 SIGNED BY SPEAKER
4/07 TRANSMITTED TO GOVERNOR
4/12 SIGNED BY GOVERNOR
CHAPTER NUMBER 387
EFFECTIVE DATE: 10/01/95

SB 194 INTRODUCED BY BAER, ET AL.

REVISE PROVISIONS RELATING TO THE MONTANA HEALTH CARE AUTHORITY

1/18	INTRODUCED		
1/18	FIRST READING		
1/18	REFERRED TO PUBLIC HEALTH, WELFARE & SAFETY		
1/19	FISCAL NOTE REQUESTED		
1/26	FISCAL NOTE RECEIVED		
2/10	HEARING		
2/14	FISCAL NOTE PRINTED		
2/18	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/20	2ND READING PASSED	33	17
2/21	3RD READING PASSED	33	17
	TRANSMITTED TO HOUSE		
2/22	FIRST READING		
2/22	REFERRED TO HEALTH CARE SELECT		
2/27	REVISED FISCAL NOTE RECEIVED ON BILL AS AMENDED BY PUBLIC HEALTH, WELFARE & SAFETY COMMITTEE		
2/28	REVISED FISCAL NOTE PRINTED		
	DIED IN COMMITTEE		

SB 195 INTRODUCED BY BAER, ET AL.

SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X, SECTION 1, OF THE MONTANA CONSTITUTION TO CLARIFY THE STATE'S EDUCATIONAL GOALS AND DUTIES BY GUARANTEEING REASONABLY BALANCED EDUCATIONAL ACCESS AND OPPORTUNITY TO RESIDENTS AND BY LIMITING STATE SPENDING

1/18	INTRODUCED		
1/18	FIRST READING		
1/18	REFERRED TO EDUCATION & CULTURAL RESOURCES		
1/19	FISCAL NOTE REQUESTED		
1/24	FISCAL NOTE RECEIVED		
1/24	FISCAL NOTE PRINTED		
1/27	HEARING		
2/13	TABLED IN COMMITTEE		
2/23	MISSED TRANSMITTAL DEADLINE FOR 45TH DAY		
	DIED IN COMMITTEE		

SB 196 INTRODUCED BY GAGE

REPEAL THE MONTANA RATEMAKING ACT

1/19	INTRODUCED		
1/19	FIRST READING		
1/19	REFERRED TO BUSINESS & INDUSTRY		
1/20	FISCAL NOTE REQUESTED		
1/24	FISCAL NOTE RECEIVED		
1/24	FISCAL NOTE PRINTED		
1/25	HEARING		
1/26	COMMITTEE REPORT—BILL PASSED		
1/27	2ND READING PASSED	49	0
1/28	3RD READING PASSED	45	0

Questions From Committee Members and Responses:

SEN. MACK COLE asked Representative Pavlovich if there are adequate funds to keep the program going at this time.
REP. PAVLOVICH said there are and he added that the money used for maintenance is *interest* the Trust Fund earns. He also said that donations come in from the families and others to keep the Fund going.

CHAIRMAN HARDING closed the Hearing on HB210.

HEARING ON SB193

Opening Statement by Sponsor:

SEN. STEVE DOHERTY, Senate District 24, Great Falls, said the purpose of SB193 is to consolidate dates and times for elections and also make uniform the opening and closing times of polls.
SEN. DOHERTY explained that SB193 began at the last flood control district election, which was held at the last general election. The election officials pointed out that they had to be at the polls at a different time for the flood control district as opposed to the general election. **SEN. DOHERTY** said he expected SB193 to be a simple bill, but as he continued to work with Greg Petesch of the Legislative Council, they found many categories of special elections to be included. **SEN. DOHERTY** said he believes the School Boards should be able to have their elections when they need to for school bond issues, so SB193 could be amended for that purpose.

Proponents' Testimony:

Bill Rappold, Chairman of the Board of Commissioners in Pondera County, stated his support for the concept of SB193. **Mr. Rappold** said the increasing costs of elections are a burden on taxpayers when many of the special elections could be held during a regular election.

James Lofftus, representing the Montana Fire District Association, said he is in favor of the concept of combining elections. **Mr. Lofftus** described some issues concerning elections (Fire District Trustees and School District Trustees) that cause a great deal of confusion for people running as well as the voters. **Mr. Lofftus** said if the elections were somehow combined and held at one time, it would help end the confusion.

Robert Throssell, representing the Montana Association of Clerks and Recorders, said his Association is in support of the concept of combining elections and streamlining the process.
Mr. Throssell stated concern that once you begin changing the process for elections, there are many issues to be considered.
Mr. Throssell said that certainly many elections could be

combined and there would be a cost savings. He added, however, that just one of the problems may be that various districts do not always have the same boundaries and they don't have the same boundaries for precincts set up for other districts. Therefore, a situation could occur of havin not just one extra ballot for a flood control district, but you having a fire district ballot, a school district ballot, and a ballot that you are running in a general or primary election. **Mr. Throssell** said if the Legislature believes the time has come to review the numerous elections, his Association would be willing to actively participate in revamping the election process. **Mr. Throssell** said it will take time and a total review to ensure all entities and the various requirements have been laid out over a calendar year so elections could be held in a reasonable sequence.

Opponents' Testimony:

Don Waldron, representing the Montana Rural Education Association, said if there are other elections that can be easily combined (i.e., fire districts at the school elections), his Association supports that, and the costs of the election are shared. **Mr. Waldron** said he believes it may cause too much confusion, however, to combine the many issues of a general election with school issues. **Mr. Waldron** stated his agreement with having polls open and close at the same times for all elections. **Mr. Waldron** said he thinks pages 36-47 of SB193 should be thrown out. He said he believes the bill was drafted with an understanding of the problems that would arise from having schools included, so language such as *"whenever possible"* (pages 45, 47) was used to make it possible for schools to survive under SB193. **Mr. Waldron** said there are three major elections during the year -- November, June, and school election for trustees in April. He said the April election should not be confused with the issue of multiple levy and bond elections as those are needed as a situation requires. **Mr. Waldron** said his Association does not believe schools should be included in SB193 at this time.

Phil Campbell, Montana Education Association, agreed with Mr. Waldron's testimony. **Mr. Campbell** said his Association is concerned that the language of the bill *"whenever possible"* may require a school district to prove that it ***wasn't*** possible to have an election in June, for example. He said it seems like the trustees can have a mill levy any time they want or need to. Having the election in June is a problem for schools because teachers have to be notified of termination, by law, by the first of May, and if the trustees are not sure of their financial circumstances, the districts wouldn't have any choice but to give everybody "pink slips" until they know whether or not they have adequate resources. **Mr. Campbell** said his Association does not oppose the concept of SB193 as a whole, but he believes his concerns should be considered.

Questions From Committee Members and Responses:

SEN. MESAROS said he agrees with the concept of SB193. He then asked Senator Doherty how voting could be facilitated at one polling place where part of the people could be voting for one thing and part of the people voting for others because of redistricting. **SEN. DOHERTY** said he believes that happens already, at least in his district for those who live in the flood control district. He said he thinks the Clerk and Recorders have been very inventive in coming up with ways to handle these situations.

SEN. MESAROS asked Senator Doherty if he agreed with the fiscal note's statement that SB193 will have little effect on local and county government revenue or expenditures. **SEN. DOHERTY** said he thinks SB193 has a potential to reduce costs.

SEN. BROOKE said she believes the fiscal note is not quite accurate as she thinks the savings, particularly in larger counties, could be quite a bit.

SEN. COLE asked Senator Doherty what the effective date for SB193 would be. **SEN. DOHERTY** said he believes, since there is no date specified, it would go into effect October 1, 1995.

SEN. FOSTER asked Robert Throssell if he has seen the fiscal note for SB193. **Mr. Throssell** said "no." **SEN. FOSTER** gave him a copy and then he asked Mr. Throssell to respond to the first sentence on the fiscal note under "Effect on county or other local revenues or expenditures." **Mr. Throssell** said he thinks the potential is there to save money for school districts, fire districts, and counties. **Mr. Throssell** stated concern that, as SB193 is written, there may not be cost savings across the board when considering overlapping districts, etc.

SEN. HARGROVE commented to Mr. Throssell he found it difficult to determine whether Mr. Throssell was *for* or *against* SB193, and he asked Mr. Throssell if SB193 required further study by the Clerks & Recorders. **Mr. Throssell** said they believe SB193 is workable and has potential cost savings. **Mr. Throssell** added, however, that election processes in each of the districts need to be mapped out and timelines need to be reviewed with the Legislative Council, and the Clerks & Recorders have not had time to do that.

SEN. HARGROVE asked Senator Doherty if SB193 includes every election in a county except certain school elections.
SEN. DOHERTY said that is what he had told Greg Petesch he wanted to do. His intention was to try to cover all bases.

SEN. HARGROVE asked Senator Doherty what school elections are not included. **SEN. DOHERTY** said school elections are covered in pages 36-47 of SB193. **SEN. DOHERTY** said experience he has gained from serving on the Senate Education Committee has convinced him

that school elections are very different from other elections. He said he would be agreeable to removing school elections from SB193 and having the Education Committee review that process. **SEN. DOHERTY** referred to Mr. Waldron's agreement regarding uniform hours for polls to be open. **SEN. DOHERTY** said he believes even if that is all that comes from SB193, it would be worth it.

SEN. HARGROVE commented that one of the major complaints he had from constituents was the fact that if a mill levy or bond vote is not passed, sixty days later, the same issue is voted on. **SEN. HARGROVE** asked Don Waldron to comment on the suggestion that there be a mandatory period of six months, or even until the next general election, before voting on the same mill levy or bond issue again. **Mr. Waldron** clarified that when we talk about "school elections" we are talking about the "school trustees election." **Mr. Waldron** said most schools try to have levy elections or bond elections, etc., at that same time. **Mr. Waldron** said, regarding multiple levies for the same budget issue, schools are under an entirely different program than cities or counties in that their existence relates to what legislators do and what can be done in the local community. **Mr. Waldron** said there are some schools where the levy is 24% of the budget, so what would happen to Belgrade, for example, if they lost 24% of their budget by the levy not passing. **Mr. Waldron** said he would like to have these election options maintained.

SEN. FOSTER referred to Mr. Campbell's comments regarding handing out "pink slips" if the election was not held until June. **SEN. FOSTER** said that is not really the way it would work, and he asked Mr. Campbell if he wished to clarify his comment. **Mr. Campbell** said, unfortunately, it *does* work that way for many non-tenure teachers as mill levies get delayed, and it happens far too often. **SEN. FOSTER** said he did not want to debate this issue but added that Mr. Campbell is using this point as opposition to SB193. **SEN. FOSTER** said that, in order to agree with Mr. Campbell's logic, you would have to believe that a school district runs a mill vote every year and asked Mr. Campbell if that is true. **Mr. Campbell** said he didn't know the numbers of school districts that *don't* run levies. **Mr. Campbell** said the overwhelming majority *do* run levies and in some cases just to *maintain*, not *increase*, their budgets.

SEN. MESAROS asked Senator Doherty if he would have any objection to changing the date of the election to the day after property taxes are due. **SEN. DOHERTY** said he hadn't considered that. He said he was attempting to set a regular election in June and November and the April election for school board trustees. With those three, the goal would be to combine as many special elections as possible into the three and get the polls open at a uniform time.

CHAIRMAN HARDING asked Senator Doherty for any comments regarding amending SB193 to include uniform times for polls to be open and

exclude the school districts from SB193. **SEN. HARDING** also asked if it would be possible to have the Legislative Council staff, Mr. Throssell, and possibly the Secretary of State work on language to combine the various elections. She said perhaps a commission could be formed to ensure all problems are addressed. **SEN. DOHERTY** said he would be agreeable to that kind of language or even language that would give the local election officials the power to say that the fire district election, for example, must be held at the next regular election. **CHAIRMAN HARDING** added that election judges could also be shared.

Closing by Sponsor:

SEN. DOHERTY said he believes making the polling places open at uniform times and combining special elections as much as possible is a good idea. He said he understands that some districts, because of bonded indebtedness or school bond concerns, may have separate issues to be dealt with.

CHAIRMAN HARDING closed the Hearing on SB193.

{Tape: 1; Side: B; Approx. Counter: 13.7}

EXECUTIVE ACTION ON HB210

Motion: **SEN. PIPINICH** moved that **HB210 BE CONCURRED IN.**

Discussion: **SEN. WELDON** asked for clarification that there is no state money going into this Trust. **SEN. PIPINICH** said, "That's correct." **SEN. WELDON** asked if the state is involved with this Memorial currently. **SEN. PIPINICH** answered, "No."

SEN. WELDON asked why the members of the Association could not create the Trust maintenance through a private cause of action. **CHAIRMAN HARDING** said the Association had presently been operating their own Trust with private donations, and the interest is what provides for the maintenance. Because of the age of the members, they came up with this system in order to turn it over to a *Judge* to see that the maintenance goes on through the interest from the private Trust money.

Vote: The **MOTION CARRIED UNANIMOUSLY** on oral vote. **SEN. PIPINICH** will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB178

Motion/Vote: **SEN. MESAROS** moved that **HB178 BE CONCURRED IN.** The **MOTION CARRIED UNANIMOUSLY** on oral vote.
SEN. BROOKE will carry the bill on the Senate floor.

DISCUSSION ON SB193

COMMITTEE MEMBERS discussed having David Niss prepare amendments for SB193 regarding eliminating school elections from SB193, consolidation of dates, and the language *"whenever possible."*

MONTANA SENATE
1995 LEGISLATURE
STATE ADMINISTRATION COMMITTEE

ROLL CALL DATE Thur 02-02-95

NAME	PRESENT	ABSENT	EXCUSED
VIVIAN BROOKE	✓		
MACK COLE	✓		
MIKE FOSTER	✓		
DON HARGROVE	✓		
BOB PIPINICH	✓		
JEFF WELDON			✓
KEN MESAROS, VICE CHAIRMAN	✓		
ETHEL HARDING, CHAIRMAN	✓		

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Mr. Steele stated 3/4 of the retirees are at a sergeant or above. Not all are at that level. He stated 29 officers have gone over 15 years without a pay increase. One half would fall under this bill. He stated the rate would vary from city to city.

REP. STOVALL asked when they say to bring these people to the sergeant's salary, if that would be bringing them up to the current salary for sergeants.

Mr. Steele stated that was correct.

REP. STOVALL asked if there was going to be an average for years of service.

Mr. Steele stated that wouldn't be the case.

Closing by Sponsor:

SEN. DOHERTY closed, stating there are many people who aren't able to get another job. This is an attempt to go back to their promise to take care of these people when they retire. He stated they have done a great deal for citizens and this bill is a way to pay them back. He asked for a favorable recommendation from the committee.

HEARING ON SB 193

Opening Statement by Sponsor:

SEN. STEVE DOHERTY, SD 24, stated it would make sense to make the times and dates for elections the same. He stated there would probably be better participation. There are a lot of districts and elections. They decided, when drafting this bill, to mention all of the elections. The Senate amended out the school elections and he thought this was a good idea. This bill would keep polls open and have the same election times and this would make sense to do. He stated this would cut down on elections and the cost of having elections.

Proponents' Testimony:

Joe Kerwin, Election Bureau Chief, Secretary of State's Office, stated they stood in support of this bill. They thought it was a good idea to have a consistent time frame. He stated there were some exceptions to that rule, one of them being the school elections but that part had been amended out in the Senate. He asked the committee to give the bill a do pass recommendation.

Catherine Lennemar, Montana Association of Clerks and Recorders, spoke in favor of the bill.

Opponents' Testimony: none

Informational Testimony: none

Questions From Committee Members and Responses:

REP. BRAINARD asked how various polling places and ballots would be worked out if the bill were to pass.

SEN. DOHERTY stated they would have to work those things out in the same fashion that they currently do. He stated he knew that this might cause problems, but he was certain there would be a solution.

REP. BRAINARD asked if this bill would also include all the water conservation districts and other such elections.

SEN. DOHERTY stated the intent of the bill was to include all elections and districts.

REP. STOVALL asked if there would be any savings from this bill.

SEN. DOHERTY stated there will be little effect on local and county government expenditures according to the fiscal note. He believed, however, that there would be savings.

CHAIRMAN SIMPKINS asked if they have the okay for mail elections.

SEN. DOHERTY stated it was his understanding that if they get things going, they were going to do all of these at one time.

CHAIRMAN SIMPKINS asked if this was considered by the voluntary committee of election advisors.

Mr. Kerwin stated they hadn't specifically looked at this bill.

CHAIRMAN SIMPKINS asked if this bill were to pass if he would be willing to look at the bill and help them with any revisions that might need to be made.

Mr. Kerwin stated they would be willing to help in that capacity.

REP. BRAINARD asked what the part of the bill that was amended out of the bill would have done.

SEN. DOHERTY stated it asked school elections to be held during the primary or general elections. That wasn't a good idea because of contract conflicts. He stated that part of the bill needed to be looked at more closely than it was when it was drafted.

REP. BRAINARD asked what his feeling was on amending that section of the bill back in.

SEN. DOHERTY stated he didn't think that was a good idea. He stated with that part of the bill amended out, it passed through the Senate with almost no opposition.

{Tape: 2; Side: B.}

Closing by Sponsor:

SEN. DOHERTY closed, stating if the committee felt there was anything missing from the bill he had no problem with them amending it to make it a better bill. He thought this step was needed to continue in the right direction.

CHAIR TO CHAIRMAN SIMPKINS

HEARING ON SB 337

Opening Statement by Sponsor:

SEN. MIKE SPRAGUE, SD 6, stated this was an administrative bill that had been amended in the Senate. It would allow agencies to work with more dexterity and give them approval with money.

Proponents' Testimony:

Debra Fulton, Administrator, General Services, Department of Administration, submitted written testimony. **EXHIBITS 7 and 8**

Opponents' Testimony: none

Informational Testimony: none

Questions From Committee Members and Responses:

REP. TAYLOR asked if this bill would allow for instances when school buildings are leased. She asked if there is a money obligation by the taxpayers.

Ms. Fulton stated this bill only applies to state office buildings.

REP. BRAINARD asked if they perform the leases by bids.

Ms. Fulton stated they did except in cases of emergency.

CHAIRMAN SIMPKINS asked if this bill would change anything that already exists in law.

Ms. Fulton stated she didn't know.

REP. TAYLOR asked for clarification under the new added section of the bill where it states "leased or leased by a state agency".

HOUSE OF REPRESENTATIVES

State Administration

ROLL CALL DATE 3-8-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Dick Simpkin, Chairman	✓		
Rep. Matt Denny, Vice Chairman, Majority	✓		
Rep. Dore Schwinden, Vice Chair, Minority	✓		
Rep. Matt Brainard	✓		
Rep. Pat Galvin	✓		
Rep. Dick Green	✓		
Rep. Toni Hagener	✓		
Rep. Harriet Hayne	✓		
Rep. George Heavy Runner			✓
Rep. Sam Kitzenberg			✓
Rep. Bonnie Martinez	✓		
Rep. Gay Ann Masolo	✓		
Rep. Bill Rehbein	✓		
Rep. Susan Smith	✓		
Rep. Jay Stovall	✓		
Rep. Carolyn Squires	✓		
Rep. Lila Taylor	✓		
Rep. Joe Tropila	✓		

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

State Admin COMMITTEE DATE 3-3-95

BILL NO. SB 337 SPONSOR(S) Sprague
SB 193

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
Debra Fulton	Department of Adm	337 X	
Jacqueline Lenmark	Mt Assoc Clks + Rec	193 X	
Joe Kerwin	SOS	193 X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

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REP. BRAINARD stated the new section of the bill had been added after the bill had been introduced.

Motion/Vote: **REP. HAGENER MOVED TO AMEND THE BILL STRIKING SECTION ONE IN ITS ENTIRETY. Motion carried 15-2 with REP. REHBEIN and REP. GALVIN voting no and REP. SCHWINDEN excused and REP. SQUIRES voting by proxy.**

Motion: **REP. STOVALL MOVED SB 98 BE CONCURRED IN AS AMENDED.**

Vote: **Motion carried 17-1 with REP. GALVIN voting no and REP. SCHWINDEN and REP. SQUIRES voting by proxy.**

EXECUTIVE ACTION ON SB 193

Motion: **REP. TROPILA MOVED SB 193 BE CONCURRED IN.**

Discussion:

Ms. Heffelfinger gave a synopsis of the bill.

Rep. TROPILA stated there are many small district elections and the people had asked why they wouldn't consolidate them and have them at the same time as other elections. This bill does that when it is possible for the elections to be combined and held at the same time.

REP. MASOLO stated the Clerks and Recorders are for the bill.

CHAIRMAN SIMPKINS stated this would cut the cost of elections and mail ballots would still be an option.

Vote: **Motion carried 18-0 with REP. SCHWINDEN and REP. SQUIRES voting by proxy.**

EXECUTIVE ACTION ON SB 324

Motion: **REP. HAGENER MOVED SB 324 BE CONCURRED IN.**

Motion/Vote: **REP. MASOLO MOVED THE AMENDMENT. Motion carried 18-0 with REP. SCHWINDEN and REP. SQUIRES voting by proxy.**

Motion/Vote: **REP. DENNY MOVED SB 324 BE CONCURRED IN AS AMENDED. Motion carried 18-0 with REP. SCHWINDEN and REP. SQUIRES voting by proxy.**

HOUSE STANDING COMMITTEE REPORT

March 20, 1995

Mr. Speaker: We, the committee on **State Administration** report that **Senate Bill 193** (third reading copy -- blue) **be concurred in.**

Signed: Dick Simpkins
Dick Simpkins, Chair

Carried by: Rep. Tropila

Committee Vote:
Yes 18, No 0.

641308SC.Hbk

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE March 20, 1995 BILL NO. SB NUMBER 93

MOTION: Rep. Tropila moved do concur

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority By Proxy	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires By Proxy	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

SENATE BILL NO. 193

INTRODUCED BY DOHERTY, TROPILA

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING ELECTIONS; ENCOURAGING ELECTOR PARTICIPATION BY CONSOLIDATING THE TIMES AT WHICH ISSUES ARE SUBMITTED TO ELECTORS; ESTABLISHING UNIFORM TIMES FOR THE OPENING AND CLOSING OF POLLS; AND AMENDING SECTIONS 7-2-2215, 7-2-2605, 7-2-2709, 7-2-4104, 7-2-4106, 7-2-4902, 7-3-103, 7-3-149, 7-3-176, 7-3-186, 7-3-187, 7-3-192, 7-3-1205, 7-3-1208, 7-3-1229, 7-3-1231, 7-3-4208, 7-3-4213, 7-3-4222, 7-3-4223, 7-3-4305, 7-3-4310, 7-3-4311, 7-5-133, 7-5-136, 7-5-4321, 7-6-2344, 7-6-4255, 7-7-2223, 7-7-2227, 7-7-2229, 7-7-2237, 7-7-4226, 7-7-4227, 7-7-4235, 7-7-4426, 7-7-4427, 7-8-4201, 7-11-305, 7-11-307, 7-12-4243, 7-13-2208, 7-13-2231, 7-13-2323, 7-13-2341, 7-13-4204, 7-14-210, 7-14-1134, 7-14-2205, 7-14-2504, 7-14-4404, 7-14-4512, 7-14-4642, 7-15-2111, 7-15-4408, 7-16-2411, 7-16-2442, 7-31-106, 7-31-107, 7-31-109, 7-32-235, 7-34-2110, 7-34-2414, 7-35-2106, ~~13-1-106, 20-6-203, 20-6-205, 20-6-211, 20-6-312, 20-6-315, 20-6-317, 20-9-353, 20-20-105, 20-20-106, 20-20-201, 20-20-202, 20-20-203, 20-20-204,~~ 22-1-303, 22-1-402, 67-11-303, 76-1-604, 85-9-206, AND 85-9-623, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE REPRINTED. PLEASE REFER TO THIRD READING COPY (BLUE) FOR COMPLETE TEXT.